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delegates of a higher grade to convene for the selection of men for office.

Among the peculiar features embodied in this plan are those limiting the tenure of office and the size and personnel of the primary caucus. Office-holders and delegates shall be removable at the will of the power that elected. The primaries are to be composed of equal numbers (say two hundred) of all the voters in a ward or township distributed among the precincts by lot, after the fashion of empaneling a jury. This lot-drawn constituency meets privately, elects its own officers and tellers, cannot be adjourned before a certain time, votes by ballot upon the calling of the roll, and elects a man not a member of the primary. By this general remedy we are to have less taxes, fewer elections, more concentration of authority in the people, greater official responsibility, an end of election frauds, the abolition of the "machine," and a better form of democracy.

The prognosis is too favorable. Party spirit will prevent such a consummation for an indefinite period. The fundamental reason for partisanship is that men differ in opinion. The treatment does not abolish the party. It should not. It aims at the party organization. Even here, the author admits that the full benefits are ultimate and not immediate. This relief must be accepted in the absence of speedier reform, yet the plan proposed offers no increased opportunity for the political education of the people. It does not solve the city problem. It does not actually increase either the power or the knowledge of the community. Only action and education can do that.

The possibilities of disproportionate representation as a result of the unessential feature of lot-drawn constituencies are so great that the American spirit is apt to prefer cheating, which may be stopped, to bad luck, which cannot be changed. The remedy, however would probably prove beneficial; it certainly offers more hope than any other single preparation in the political pharmacopœia. It will make an issue on men rather than on measures, and tend to put the right man in the right place. The success of the whole system depends upon the conduct of the primary caucus which may be controlled by a majority of its members. If the people rule not well, they may at least rule and have only themselves to blame.

CLAUDE L. ROTH.

*Philadelphia.*

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*A Century of American Diplomacy.* By JOHN W. FOSTER. Pp. 497. Price, \$3.50. Boston: Houghton, Mifflin & Co., 1901.

Ex-Secretary of State John W. Foster has written a very interesting history of the hundred years of American diplomacy from 1776. The

book is an "outgrowth of a series of lectures delivered in the School of Diplomacy of Columbian University." Two motives for the publication are given by the author: first, that "the young men of the country may have their patriotism quickened and be inspired with a new zeal to assist in maintaining the honorable position of our government in its foreign relations;" and secondly, that "in view of the recently enlarged political and commercial intercourse of the United States with other powers, a succinct history of the diplomatic affairs of the government . . . might be useful in the solution of the questions of foreign policy now so urgently presented to the American people." In short, Mr. Foster proposed the twofold task of a text for the college and high school and a popular history which would attract the busy citizen and mould his opinions on questions of foreign policy.

Mr. Foster has had a long public experience, at home as a lawyer, soldier, editor, politician, and abroad as our diplomat to Mexico, Russia and Spain. He actively assisted Mr. Blaine in the negotiation of the reciprocity treaties. He had charge of the American case before the Behring Sea arbitrators. He was secretary of state, and later was called by the Emperor of China to assist him in the peace negotiations with Japan. He probably possesses a more intimate acquaintance with foreign diplomats, politicians and statesmen than any other American. Therefore anything he might write would have more than academic interest. Added to the equipment of experience, Mr. Foster possesses a simple, lively style and a taste for an interesting subject-matter. Possibly here he has erred in selecting too much material that is merely anecdotal. Frequently his quotations are long and have only an indirect bearing on his theme. He has evidently desired to indicate the advance the century has brought in political and party ethics. To this end he has revived in excessive detail the wrangles and intrigue of our political fathers. He has gone freely to the original sources. Unfortunately, in referring to the "President's messages," Mr. Foster has accredited this collection of documents to the unworthy editor who abused the trust reposed upon him by Congress. The name of "Richardson" should be erased from the pages of the "President's Messages."

Considering the popular and didactic purpose of his work, Mr. Foster may be criticised in the organization of his material. Too frequently it is scattered here and there, and tends to confuse one who would understand the logical significance of the facts. Following a chapter on "The Treaty of Peace and Independence" is a chapter entitled "Peace Under the Confederation," in which he uses some sixteen pages to describe further matters pertaining to the peace treaty and omits the details of our difficulties during that period with France

and Spain. The French attitude toward us during the revolution was highly paternalistic. Because of the treaty of permanent alliance she naturally expected this would continue, and she was not prepared to see us assert a position of equality. For six years she refused to negotiate a consular convention unless large powers were conferred on the consuls. Likewise she insisted on her right to try the man who assaulted Marbois in the streets of Philadelphia. This first and last of our "foreign entanglements" should receive careful consideration in any work on American diplomacy. The vexatious negotiations, under the confederation, with the Spanish respecting the navigation of the Mississippi are passed over with a sentence, and no mention is made of the principles of international law involved. Indeed, this suggests another fault in Mr. Foster's work in view of the purpose to which he dedicates it.

He constantly omits to suggest the general principles of international law involved in the controversies and often neglects the collateral facts of domestic and foreign history which are necessary to an intelligent understanding of the true situation. The party feeling in England on the negotiation of the treaty of independence is not discussed. The rivalry of Fox and Shelburne and the pique the former felt at the latter's elevation to prime minister on the death of Rockingham played an important part in making the peace treaty and the failure to make a commercial treaty. Shelburne's generosity was calculated to serve England as much as Fox's parsimony. Shelburne, as the disciple of Adam Smith, realized the value of a lively and harmonious trade with the west. Fox opposed a relaxation of the navigation acts in favor of the United States and pushed through Parliament an act empowering George III to establish such commercial relations as he deemed advisable. He selected the niggardly policy. Thus the great opportunity to establish peace between the two countries on a broad basis was thrown away and discord was sown which brought forth thirty years of strife and finally a war. States are sordid creatures whose motives invariably are self-preservation and selfish aggrandizement. We must not forget that the United States is no exception to the general rule. Therefore, where we find one state or a party within that state pursuing a liberal policy toward another, there is every reason for inquiry into the motives for that liberality.

Mr. Foster has striven to be fair in his estimate and discussion of men and international relations. Occasionally he has taken a too American view. Speaking of the treaty with the Netherlands in 1782, the author remarks that "the recognition of our independence by Holland though tardy, was most welcome." It is a well founded rule of international law that premature recognition of the independence

of a revolted province is a wrong to the parent state and amounts in its effect to an act of intervention. Hence great caution is exercised by third powers in granting recognition and unless policy interferes to prevent strict attention to law as in the treaty whereby France recognized the independence of the United States in 1778, recognition is seldom given, except where the circumstances set the propriety beyond all question. Mr. Foster neglects to say Holland was at war with England and that her early recognition of American independence by a treaty was merely an incident in her war policy. Certainly Holland was not "tardy" in view of the policy of non-intervention which has been consistently pursued by the United States so long as the contest was confined to the original parties.

Two or three references are made to the "advanced stage of international law early assumed by the American statesmen." He cites the treaty with Prussia negotiated by Franklin in 1785 as an example in which it was declared that no goods, not even munitions of war, shall "be deemed contraband, so as to induce confiscation or condemnation and loss of property to individuals." If munitions are captured and taken the treaty provided they should be paid for at their full value, "according to the current price at the place of destination," and if they are detained compensation must be made for such loss as is occasioned. Another clause exempted all merchant and trading vessels from molestation in time of war. Of course such clauses represent an "advanced stage of international law;" indeed, a mere prophecy, as yet unobserved by states in their relations and, therefore, not international law. Such philanthropic provisions were unobjectionable at the time because of the slight probability that Prussia and the United States would be brought into conflict. Later these high moral rules were changed to accord with the practices of states.

Mr. Foster, referring to the claim which the French nation had on the United States as an ally under the treaty of 1778, says: "It was held that the Revolution had destroyed the France with which the treaty of alliance was made, and that, under the circumstances there was no obligation resting on us to take part in her aggressive wars." The author might have stated in this connection an important principle of international law, announced about that time, which is now generally accepted as a basis for international conduct. Mr. Jefferson, when he defined the position of the United States as to the recognition of the republic proclaimed in France by the national convention, said in an instruction, "We surely cannot deny to any nation that right whereon our government is founded, that every one may govern itself according to whatever form it pleases, and change these forms at its own will; and that it may transact its business with foreign nations

through whatever organ it thinks proper, whether king, convention, assembly, committee, president, or anything else it may choose. The will of the nation is the only thing essential to be regarded." Washington's administration took the high ground that the true test of a government's title to recognition is not "the theoretical legitimacy of its origin," for foreign states must remain indifferent to the particular form of government under which a community may choose to place itself, "but the mere fact of its existence as the apparent exponent of the popular will."

Mr. Foster's book is remarkably free from errors of fact. Attention is called to the following: He says that the Jay treaty (p. 165) "provided for the settlement of certain differences by arbitration, one of the results of which was that the American merchants and shipowners received \$6,000,000, for damages suffered at the hands of British officials." Mr. Trumbull, one of the American arbitrators, writes that the "amount in dollars, allowing five dollars to the pound sterling, was \$11,650,000." Mr. Trumbull says, "This was the statement of Mr. Cabot (an assessor of the board) whose accuracy and knowledge of the subject were beyond all doubt."

Speaking of the X Y Z correspondence (p. 179) Mr. Foster falls into the common error of attributing the famous utterance, "millions for defence, but not one cent for tribute," to Mr. Pinckney. Historians have recently discovered that Mr. R. G. Harper, of Charleston, was the author of the speech. Mr. Pinckney himself confessed that the phrase "got fastened to him and he let it go."

Another error is found in the statement that in the Great Britain-Venezuela boundary dispute, "it was finally agreed that the whole territory in dispute should be submitted to arbitration." It was agreed that the arbitrators were to be governed by certain principles of international law; the first of which was "adverse holding or prescription during a period of fifty years shall make a good title."

A chapter is devoted to the history of "The Monroe Doctrine." Mr. Foster believes the Clayton-Bulwer treaty "marks the most serious mistake in our diplomatic history and is the single instance since its announcement in 1823 of a tacit disavowal or disregard of the Monroe Doctrine." He says that the treaty "was no sooner published than it began to be a source of dispute," and though he speaks of England's breach according to our interpretation, he does not suggest England's defence; nor does he state the final arrangement of the dispute which the United States "declared satisfactory." Thereby we waived our rights of voidability and gave it a new binding force.

The "Century of American Diplomacy" is a valuable contribution

to our historical literature and may be read by all with interest and profit, especially by the student and busy citizen for whom it was published.

GEORGE WINFIELD SCOTT.

*Philadelphia.*

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*Public Papers of George Clinton, First Governor of New York, 1777-1795-1801-1804.* Vols. I, II, III. With an Introduction by HUGH HASTINGS, State Historian. Published by the State of New York. Wynkoop-Hallenbeck-Crawford Co., State Printers, New York and Albany, 1899-1900.

Students of American history have welcomed this series as a convenient repository of information upon the subject of the American Revolution. The value of the material is not questioned. Only the method and manner of its presentation need examination.

The first volume contains a lingering introduction, 189 pages in length. This preface is a curious medley of biography, bibliography, eulogy, controversy and history. The latter is a reckless patchwork of English, American and New York history, in which the name of Clinton appears at very rare intervals, presumably as a bond for all this heterogeneous material. Stress is placed upon unexpected things and in uncalled-for places. The intrusion of the school-book rhetoric about "the embattled farmers," "the shot heard round the world," and "Cæsar had his Brutus," makes us doubt the editor's power of inhibition and suggests a mania for rhetorical effect. The introduction does no harm, perhaps, but the essential part of it might have been condensed into twenty pages.

The history of the manuscripts is contained in the first paragraphs of the introduction. George Clinton was for forty-five years an aggressive public character. His correspondence was consequently large. He was in communication with all the prominent men of the American Revolution. In a later period he had an intimate friendship with all the pronounced federalists, though his activity was directed against the adoption of the federal constitution.

For these reasons the correspondence which has been preserved is of a most important character. The collection was purchased in 1853 by the legislature of New York. Twenty-five hundred dollars was paid for the twenty-three volumes of the Clinton papers, few of which were originals. Many were drafts or copies made by himself or his secretary. Later the collection was increased by a number of additional volumes. These were all calendared and arranged for publication by George W. Clinton, who made a report upon them in 1882. Copious extracts from this report are made in the introduction to this published series. The